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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,645	12/20/2000	Masahiro Komura	1341.1076 (JDH)	4243
21171	7590	03/01/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			COLIN, CARL G	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/739,645

Applicant(s)

KOMURA ET AL.

Examiner

Carl Colin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/16/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Arguments***

1. In response to communications filed on 11/16/2004, The following claims 1-15 are presented for examination.
2. Applicant's arguments, pages 8-10, filed on 12/23/2003, with respect to the rejection of claims 1-15 have been fully considered, but they are moot in view of a new ground of rejection. Applicant amends the independent claims to recite when the information recipient finds that the security information has usefulness the second receiving unit receives payment information on an information presentation fee to be paid to the information contributor from the second terminal the second registering unit registers the payment information together with the reply information and the second transfer unit transfers the payment information together with the reply information to the first terminal. Claims 1-15 are now rejected in view of Linehan.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to

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which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3.1 Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,327,578 to **Linehan**.

3.2 **As per claims 1, 8, and 15, Linehan**. substantially teaches a security information connected between a first terminal at an information contributor and a second terminal at an information recipient, the security information mediation apparatus comprising: **Linehan** discloses registering information between a merchant and a bank that that meets the recitation of a first receiving unit which receives security information from the first terminal a first registering unit which registers the security information in a first database (column 4, lines 9-22); and discloses the bank transferring security information to a gateway service then to the consumer that meets the recitation of first transfer unit which receives the security information from the first registering unit and transfers the security information registered by the first registering unit to the second terminal for the information recipient to judge the usefulness of the security information (see column 4, lines 18-45); the issuer gateway receives information for validation that meets the recitation of a second receiving unit which receives at least reply information including the usefulness of the security information corresponding to the security information from the second terminal (column 4, lines 24-44); authorized information is sent to the merchant that meets the recitation of a second registering unit which registers at least the reply information in a second database and a second transfer unit which receives at least the

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reply information from the second registering unit and transfers the reply information to the first terminal (column 4, lines 38-57) **Linehan** discloses the merchant receiving payment information with authorization token that meets the recitation of receiving authentication wherein when the information recipient finds that the security information has usefulness the second receiving unit receives payment information on an information presentation fee to be paid to the information contributor from the second terminal the second registering unit registers the payment information together with the reply information and the second transfer unit transfers the payment information together with the reply information to the first terminal (column 6, lines 20-32). **Linehan** discloses the invention by way of example. It is obvious to one skilled in the art that any modification or variation such as the order of transmission of data and combining or separating the task into one or many apparatus would be a routine skill in the art and not a patentable invention but rather a design choice. Using first, second units and databases is a minor modification of the invention disclosed by **Linehan** and one skilled in the art would have been motivated to modify the invention disclosed to fit their design need. **Linehan** suggests different embodiments involving three, four or more parties.

**As per claims 2 and 9, Linehan** suggests using pre-authorization to prevent delay.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to register and transfer the first security information only if security information is new so as to reduce overhead (column 9, lines 2-16).

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**As per claims 3 and 10, Linehan** discloses a registration authority and certificate authority to register issue and authorize requestor's identity and services and certificates that a requestor is authorized to use that meets the recitation of using a classification unit for classifying and registering (column 2, lines 52-61).

**Linehan** discloses transferring security information after authentication that meets the recitation of transfers the security information to the second terminal only if the classification information and classification result of said classification unit coincide, for example (see column 7, lines 20-67).

**As per claims 4 and 11, Linehan** discloses receiving validation information and confirmation message that meets the recitation of wherein said receiving unit receives invalidity information showing invalidity of the security information from said information recipient's terminal, and said second transfer unit transfers the invalidity information to the first terminal, for example (see column 13, lines 30-61 and column 15, lines 59-67).

**As per claims 5, 7, 12, and 14, Linehan** substantially teaches ways of showing proof if there is a dispute (column 4, lines 45) and discloses that the gateway should implement replay direction to handle error retries (column 10, lines 40-41) that meets the recitation of sending receiving correction information as a measure of validation.

**As per claims 6 and 13, Linehan** discloses the bank passing information to the issuer gateway as discussed above that meets the recitation of further comprising a disclosing unit

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which discloses the security information registered by said registering unit and the correction information, for example (column 10, lines 40-42; column 4, lines 9-22).

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

4.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 571-272-3862. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*cc*

Carl Colin

Patent Examiner

February 21, 2005

A handwritten signature in black ink, appearing to read "Gregory Morse", written in a cursive style.

GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100